

**PATENT**

**Application # 10/519,637**

**Attorney Docket # 1030-018**

**AMENDMENTS**

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**JUN 25 2007**

**AMENDMENTS TO THE CLAIMS**

1. (Previously presented) A system comprising:
  - a first tubular mesh enclosure formed from a mesh material having a nominal opening size of less than 0.5 inches, said first tubular mesh enclosure having a first opposing pair of ends, at least one of said first opposing pair of ends sealed; and
  - a filling surrounded by said first tubular mesh enclosure;
  - a second tubular mesh enclosure attached to said first tubular mesh enclosure;
  - said system defining a first length and a first generally non-circular longitudinal cross-section defining a first major width, a first ratio of said first length to said first major width greater than approximately 40.
2. (Original) The system of claim 1, further comprising a means for anchoring said first tubular mesh enclosure.
3. (Original) The system of claim 1, further comprising a means for anchoring said first tubular mesh enclosure to a surface, said means for anchoring said first tubular mesh enclosure attached to said first tubular mesh enclosure.
4. (Original) The system of claim 1, further comprising an anchor flap attached to said first tubular mesh enclosure.
5. (Original) The system of claim 1, further comprising an anchor flap attached to said first tubular mesh enclosure, said anchor flap penetrable by a stake.
6. (Original) The system of claim 1, further comprising an anchor flap attached to said first tubular mesh enclosure, said anchor flap attachable to a surface via a stake.

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7. (Original) The system of claim 1, further comprising an anchor flap attached to said first tubular mesh enclosure, and an anchor for securing said anchor flap to a geo-surface.
8. (Original) The system of claim 1, further comprising an anchor flap attached to said first tubular mesh enclosure, and a means for securing said anchor flap to a geo-surface.
9. (Original) The system of claim 1, further comprising an additional quantity of said filling placed against an outer surface of said first tubular mesh enclosure.
10. (Currently amended) The system of claim 1, further comprising a ~~said~~ second tubular mesh enclosure is stacked above said first tubular mesh enclosure.
11. (Previously presented) The system of claim 1, wherein said second tubular mesh enclosure is attached to an end portion of said first tubular mesh enclosure.
12. (Previously presented) The system of claim 1, wherein said second tubular mesh enclosure is attached to an end portion of said first tubular mesh enclosure, said second tubular mesh enclosure surrounding said filling.
13. (Previously presented) The system of claim 1, wherein said second tubular mesh enclosure is attached to an end portion of said first tubular mesh enclosure, said second tubular mesh enclosure formed from a mesh material having a nominal opening size of less than 0.5 inches, said second tubular mesh enclosure having a second opposing pair of ends, at least one of said second opposing pair of ends sealed, said second tubular mesh enclosure surrounding said filling.

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14. (Original) The system of claim 1, wherein said first tubular mesh enclosure is fabricated from a material selected from cotton, hemp, burlap, plastic, biodegradable plastic, UV sensitive plastic,
15. (Original) The system of claim 1, wherein said first tubular mesh enclosure is fabricated from a material selected from UV inhibited plastic, polyester, polypropylene, multi-filament polypropylene, polyethylene, LDPE, HDPE, rayon, and nylon.
16. (Original) The system of claim 1, wherein said first tubular mesh enclosure is biodegradable.
17. (Original) The system of claim 1, wherein said first generally non-circular cross-section is generally triangular.
18. (Original) The system of claim 1, wherein said first generally non-circular cross-section is generally square.
19. (Original) The system of claim 1, wherein said first generally non-circular cross-section is generally rectangular.
20. (Original) The system of claim 1, wherein said first tubular mesh enclosure defines a generally flat bottom surface extending along said first length.
21. (Original) The system of claim 1, wherein said filling is pneumatically-provided.
22. (Original) The system of claim 1, wherein said filling is auger-provided.
23. (Original) The system of claim 1, wherein said filling is manually-provided.

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24. (Original) The system of claim 1, wherein said first tubular mesh enclosure is filled at a site where said first tubular mesh enclosure is to be installed.
25. (Original) The system of claim 1, wherein said first tubular mesh enclosure is filled in situ.
26. (Original) The system of claim 1, wherein said filling is approximately 100 percent compost.
27. (Original) The system of claim 1, wherein said filling comprises compost.
28. (Original) The system of claim 1, wherein said filling comprises composted product.
29. (Original) The system of claim 1, wherein said filling comprises mulch.
30. (Original) The system of claim 1, wherein said filling comprises wood shavings.
31. (Original) The system of claim 1, wherein said filling comprises alum.
32. (Original) The system of claim 1, wherein said filling comprises lime.
33. (Original) The system of claim 1, wherein said filling comprises clay.
34. (Original) The system of claim 1, wherein said filling comprises pea gravel.
35. (Original) The system of claim 1, wherein said filling comprises gravel.
36. (Original) The system of claim 1, wherein said filling comprises sand.

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- 37. (Original) The system of claim 1, wherein said filling comprises soil.
- 38. (Original) The system of claim 1, wherein said filling comprises wood chips.
- 39. (Original) The system of claim 1, wherein said filling comprises bark.
- 40. (Original) The system of claim 1, wherein said filling comprises peat.
- 41. (Original) The system of claim 1, wherein said filling comprises soil blends.
- 42. (Original) The system of claim 1, wherein said filling comprises hay.
- 43. (Original) The system of claim 1, wherein said filling comprises leaves.
- 44. (Original) The system of claim 1, wherein said filling comprises sawdust.
- 45. (Original) The system of claim 1, wherein said filling comprises paper mill residuals.
- 46. (Original) The system of claim 1, wherein said filling comprises wood wastes.
- 47. (Original) The system of claim 1, wherein said filling comprises wood pellets.
- 48. (Original) The system of claim 1, wherein said filling comprises hemp.
- 49. (Original) The system of claim 1, wherein said filling comprises bamboo.
- 50. (Original) The system of claim 1, wherein said filling comprises rice hulls.

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- 51. (Original) The system of claim 1, wherein said filling comprises soybean hulls.
- 52. (Original) The system of claim 1, wherein said filling comprises palm wastes.
- 53. (Original) The system of claim 1, wherein said filling comprises palm leaves.
- 54. (Original) The system of claim 1, wherein said filling comprises agricultural waste products.
- 55. (Original) The system of claim 1, wherein said filling comprises manure.
- 56. (Original) The system of claim 1, wherein said filling comprises wool.
- 57. (Original) The system of claim 1, wherein said filling comprises hair.
- 58. (Original) The system of claim 1, wherein said filling comprises sugar cane bagasse.
- 59. (Original) The system of claim 1, wherein said filling comprises seed hulls.
- 60. (Original) The system of claim 1, wherein said filling comprises jute.
- 61. (Original) The system of claim 1, wherein said filling comprises flax.
- 62. (Original) The system of claim 1, wherein said filling comprises hulls.
- 63. (Original) The system of claim 1, wherein said filling comprises organic waste.
- 64. (Original) The system of claim 1, wherein said filling comprises cat litter.

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- 65. (Original) The system of claim 1, wherein said filling comprises plant seeds.
- 66. (Original) The system of claim 1, wherein said filling comprises spores.
- 67. (Original) The system of claim 1, wherein said filling comprises at least one rhizosphere.
- 68. (Original) The system of claim 1, wherein said filling comprises at least one colony.
- 69. (Original) The system of claim 1, wherein said filling comprises a fungal component.
- 70. (Original) The system of claim 1, wherein said filling comprises a fungal component that is inoculated onto a substrate.
- 71. (Original) The system of claim 1, wherein said filling comprises plugs.
- 72. (Original) The system of claim 1, wherein said filling comprises sprigs.
- 73. (Original) The system of claim 1, wherein said filling comprises fertilizer.
- 74. (Original) The system of claim 1, wherein said filling comprises flocculants.
- 75. (Original) The system of claim 1, wherein said filling comprises chemical binders.
- 76. (Original) The system of claim 1, wherein said filling comprises a water absorbent.
- 77. (Original) The system of claim 1, wherein both of said ends are closed.

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- 78. (Original) The system of claim 1, wherein said first tubular mesh enclosure is attached to the ground.
- 79. (Original) The system of claim 1, wherein said first tubular mesh enclosure is knitted.
- 80. (Original) The system of claim 1, wherein said first tubular mesh enclosure is welded.
- 81. (Original) The system of claim 1, wherein said first tubular mesh enclosure is extruded.
- 82. (Original) The system of claim 1, wherein said first tubular mesh enclosure is sewn.
- 83. (Original) The system of claim 1, wherein said first tubular mesh enclosure is stapled.
- 84. (Original) The system of claim 1, wherein said major width is greater than approximately 4 inches.
- 85. (Original) The system of claim 1, wherein said major width is greater than approximately 6 inches.
- 86. (Original) The system of claim 1, wherein said major width is greater than approximately 8 inches.
- 87. (Original) The system of claim 1, wherein said major width is greater than approximately 12 inches.
- 88. (Original) The system of claim 1, wherein said major width is less than approximately 18 inches.



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89. (Original) The system of claim 1, wherein said major width is less than approximately 21 inches.
90. (Original) The system of claim 1, wherein said major width is less than approximately 24 inches.
91. (Original) The system of claim 1, wherein said major width is less than approximately 27 inches.
92. (Original) The system of claim 1, wherein said major width is less than approximately 30 inches.
93. (Original) The system of claim 1, wherein said filling surrounds a means for providing drip irrigation.
94. (Original) The system of claim 1, wherein said filling surrounds an irrigation hose.
95. (Original) The system of claim 1, wherein said first tubular mesh enclosure is fabricated from a starch.
96. (Original) The system of claim 1, wherein said first tubular mesh enclosure is fabricated from a starch-based polymer.
97. (Original) The system of claim 1, wherein said first tubular mesh enclosure is fabricated from a material providing a color-coded product identification system.
98. (Original) The system of claim 1, wherein said first tubular mesh enclosure provides a product identification system comprising a plurality of colors.

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99. (Original) The system of claim 1, further comprising a landscaping material constrained to a predetermined zone by said first tubular mesh enclosure.
100. (Original) The system of claim 1, further comprising a landscaping material constrained to a predetermined zone outside of said first tubular mesh enclosure.
101. (Original) The system of claim 1, further comprising a landscaping material contained outside said first tubular mesh enclosure.
102. (Original) The system of claim 1, wherein, in an operative embodiment, said first tubular mesh enclosure is positioned to border a landscaping material.
103. (Original) The system of claim 1, further comprising a growing medium contained outside said first tubular mesh enclosure.
104. (Original) The system of claim 1, further comprising an elevated growing zone bordering and outside said first tubular mesh enclosure.
105. (Original) The system of claim 1, wherein, in an operative embodiment, said first tubular mesh enclosure is positioned such that said first opposing pair of ends are in contact with each other.
106. (Original) The system of claim 1, wherein, in an operative embodiment, said first tubular mesh enclosure is positioned such that said first length surrounds a predetermined zone.
107. (Original) The system of claim 1, wherein, in an operative embodiment, said first tubular mesh enclosure is positioned such that said first length at least partially surrounds a predetermined zone.

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108. (Original) The system of claim 1, wherein, in an operative embodiment, said first tubular mesh enclosure is positioned such that said first length borders a predetermined zone.
109. (Original) The system of claim 1, wherein, in an operative embodiment, said first tubular mesh enclosure is positioned such that said first length at least partially contains a predetermined zone.
110. (Original) The system of claim 1, wherein, in an operative embodiment, a vegetation zone is provided between two of said first tubular mesh enclosures.
111. (Original) The system of claim 1, further comprising a plurality of plants growing out of said first tubular mesh enclosure.
112. (Original) The system of claim 1, wherein, in an operative embodiment, said first tubular mesh enclosure elevates a plurality of plants growing out of said first tubular mesh enclosure.
113. (Original) The system of claim 1, wherein, in an operative embodiment, said first tubular mesh enclosure elevates a plurality of crop plants growing out of said first tubular mesh enclosure.
114. (Original) The system of claim 1, wherein, in an operative embodiment, said first tubular mesh enclosure elevates a plurality of vegetable plants growing out of said first tubular mesh enclosure.

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115. (Original) The system of claim 1, wherein, in an operative embodiment, said first tubular mesh enclosure elevates a plurality of fruit plants growing out of said first tubular mesh enclosure.
116. (Original) The system of claim 1, wherein, in an operative embodiment, said first tubular mesh enclosure is positioned along a landscape architectural element.
117. (Original) The system of claim 1, wherein, in an operative embodiment, said first tubular mesh enclosure is positioned adjacent a landscape architectural element selected from the group comprising an: archway, arbor, pergola, rafter, purlin, column, balustrade, trellis, post, pedestal, statute, ornament, planter, and a roof.
118. (Original) The system of claim 1, wherein, in an operative embodiment, said first tubular mesh enclosure is at least partially supported by a landscape architectural element selected from the group comprising an: archway, arbor, pergola, rafter, purlin, column, balustrade, trellis, post, pedestal, statute, ornament, planter, and a roof.
119. (Currently amended) A system comprising:
- a first tubular mesh enclosure formed from a mesh material having a nominal opening size of less than 0.5 inches, said first tubular mesh enclosure having an opposing pair of ends, at least one of said opposing pair of ends sealed;
  - a second tubular mesh enclosure attached to said first tubular mesh enclosure;
  - a filling surrounded by said first tubular mesh enclosure; and
  - an irrigation hose surrounded by said filling;
- said system first tubular mesh enclosure defining a length and a longitudinal cross-section defining a major width, a ratio of said length to said major width greater than approximately 40.

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120. (Previously presented) A system comprising:
- a first tubular mesh enclosure formed from a mesh material;
  - a filling surrounded by said first tubular mesh enclosure;
  - a second tubular mesh enclosure attached to said first tubular mesh enclosure; and
  - an irrigation hose surrounded by said filling.
121. (Cancelled)
122. (Currently amended) A system comprising:
- a first tubular mesh enclosure formed from a cotton mesh material having a nominal opening size of less than 0.5 inches, said first tubular mesh enclosure having an opposing pair of ends, at least one of said opposing pair of ends sealed; and
  - a filling surrounded by said first tubular mesh enclosure;
  - a second tubular mesh enclosure attached to said first tubular mesh enclosure;
  - said first tubular mesh enclosure system-defining a length and a longitudinal cross-section defining a major width, a ratio of said length to said major width greater than approximately 40.
123. (Previously presented) A method comprising the activities of:
- placing a filling into a first mesh tube formed from a mesh material having a nominal opening size of less than 0.5 inches, a ratio of a length of the first mesh tube to a major width of the mesh tube greater than 40, the first mesh tube having a substantially flat side, said first mesh tube attached to a second mesh tube; and
  - providing the mesh tube to a predetermined area.

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124. (Previously presented) A method comprising the activities of:
- placing a filling into a first tubular mesh enclosure formed from a mesh material having a nominal opening size of less than 0.5 inches, said first tubular mesh enclosure having an opposing pair of ends, at least one of said opposing pair of ends sealed, said first tubular mesh enclosure defining a length and a non-circular cross-section defining a major width, a ratio of said length to said major width greater than approximately 40, a second tubular mesh enclosure attached to said first tubular mesh enclosure; and
- providing the first tubular mesh enclosure to a predetermined area.
125. (Original) The method of claim 124, further comprising closing at least one of said opposing pair of ends.
126. (Original) The method of claim 124, further comprising sealing at least one of said opposing pair of ends.
127. (Original) The method of claim 124, further comprising sealing a distal end selected from said opposing pair of ends.
128. (Previously presented) The method of claim 124, further comprising securing the first tubular mesh enclosure to a surface.
129. (Previously presented) The method of claim 124, further comprising securing the first tubular mesh enclosure to a surface prior to said placing a filling activity.
130. (Previously presented) The method of claim 124, further comprising securing the first tubular mesh enclosure to a surface subsequent to said placing a filling activity.

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131. (Original) The method of claim 124, further comprising inserting a hose into an open end selected from said opposing pair of ends.
132. (Previously presented) The method of claim 124, further comprising inserting an irrigation hose into the first tubular mesh enclosure.
133. (Previously presented) The method of claim 124, further comprising inserting an irrigation hose into the first tubular mesh enclosure prior to said placing a filling activity.
134. (Previously presented) The method of claim 124, further comprising inserting a fertigation hose into the first tubular mesh enclosure.
135. (Previously presented) The method of claim 124, further comprising inserting a liquid fertilizing irrigation hose into the first tubular mesh enclosure.
136. (Original) The method of claim 124, further comprising inserting a blower hose into an open proximate end selected from said opposing pair of ends.
137. (Previously presented) The method of claim 124, further comprising inserting an auger hose into an open proximate end of the first tubular mesh enclosure.
138. (Original) The method of claim 124, further comprising inserting an attachment coupleable to a hose into an open end selected from said opposing pair of ends, the attachment having a non-circular longitudinal cross-section.
139. (Original) The method of claim 124, further comprising inserting an attachment coupleable to a hose into an open end selected from said opposing pair of ends, the

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attachment having a longitudinal cross-section comprising at least one substantially flat side.

140. (Previously presented) The method of claim 124, further comprising discharging the filling from a hose into the first tubular mesh enclosure.
141. (Previously presented) The method of claim 124, further comprising withdrawing a hose from the first tubular mesh enclosure.
142. (Previously presented) The method of claim 124, further comprising spooling the first tubular mesh enclosure subsequent to said filling activity.
143. (Previously presented) The method of claim 124, further comprising palletizing the first tubular mesh enclosure subsequent to said filling activity.
144. (Previously presented) The method of claim 124, further comprising placing the first tubular mesh enclosure adjacent a play area subsequent to said filling activity.
145. (Previously presented) The method of claim 124, further comprising placing mulch adjacent to the first tubular mesh enclosure.
146. (Previously presented) The method of claim 124, further comprising placing a filling supplement into the first tubular mesh enclosure.
147. (Previously presented) The method of claim 124, further comprising placing a filling supplement into the first tubular mesh enclosure, the filling supplement selected from: seeds, spores, plugs, sprigs, fertilizer, flocculant, chemical binder, water absorbent, herbicide, insecticide and pesticide.



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148. (Previously presented) The method of claim 124, further comprising inserting a plant into the first tubular mesh enclosure.
149. (Previously presented) The method of claim 124, further comprising inserting a plurality of plants into a top of the first tubular mesh enclosure.
150. (Original) The method of claim 124, wherein said placing activity occurs in an erosion-control zone.
151. (Original) The method of claim 124, wherein said placing activity occurs in-situ.
152. (Original) The method of claim 124, wherein the filling is placed via auger.
153. (Original) The method of claim 124, wherein the filling is placed via a chipping device.
154. (Original) The method of claim 124, wherein the filling is placed via a grinding device.
155. (Original) The method of claim 124, wherein the filling is placed pneumatically.
156. (Original) The method of claim 124, wherein the filling is placed manually.
157. (Previously presented) The method of claim 124, wherein said first tubular mesh enclosure is located in the erosion-prone area prior to said placing activity.
158. (Original) The method of claim 124, wherein the predetermined area is prone to effluent flow.

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159. (Original) The method of claim 124, wherein the predetermined area is prone to storm water flow.
160. (Original) The system of claim 124, wherein the predetermined area comprises a landscape architectural element selected from the group comprising an: archway, arbor, pergola, rafter, purlin, column, balustrade, trellis, post, pedestal, statute, ornament, planter, and a roof.
161. (Previously presented) The method of claim 124, wherein the first tubular mesh enclosure borders the predetermined area.
162. (Previously presented) The method of claim 124, wherein the first tubular mesh enclosure is placed such that said opposing pair of ends are adjacent each other.
163. (Currently amended) The method of claim 124, wherein the first tubular mesh enclosure is placed substantially perpendicular to ~~another~~ a third tubular mesh enclosure.
164. (Currently amended) The method of claim 124, wherein the first tubular mesh enclosure is placed substantially perpendicular to ~~another~~ a third tubular mesh enclosure, at least one of the opposing pair of ends of the first tubular mesh enclosure adjacent at least one end of the ~~another~~ third tubular mesh enclosure.
165. (Previously presented) The method of claim 124, wherein the first tubular mesh enclosure is placed in concert with a plurality of tubular mesh enclosures, said plurality of tubular mesh enclosures arranged in a herringbone pattern.
166. (Previously presented) The method of claim 124, wherein the first tubular mesh enclosure is placed in concert with a plurality of tubular mesh enclosures, said

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plurality of tubular mesh enclosures arranged in a herringbone drainage pattern that creates a meandering effluent treatment system.

167. (Previously presented) The method of claim 124, wherein the first tubular mesh enclosure is placed substantially parallel to a slope of the predetermined area.
168. (Previously presented) The method of claim 124, wherein the first tubular mesh enclosure is placed substantially parallel to a direction of water flow for the predetermined area.
169. (Previously presented) The method of claim 124, wherein the first tubular mesh enclosure is placed substantially parallel to a strip of vegetation.
170. (Previously presented) The method of claim 124, wherein the first tubular mesh enclosure is placed substantially parallel to a strip of grass.
171. (Original) The method of claim 124, wherein the filling comprises compost.
172. (Original) The method of claim 124, wherein the filling comprises clay.
173. (Original) The method of claim 124, further comprising providing an auxiliary filler.
174. (Previously presented) A method for forming a storm water control device comprising:
  - placing a compost-based filling into a first tubular mesh enclosure formed from a mesh material having a nominal opening size of less than 0.5 inches, a ratio of a length of the first tubular mesh enclosure to a width of the first tubular

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mesh enclosure greater than 40, a second tubular mesh enclosure attached to said first tubular mesh enclosure; and

providing the first tubular mesh enclosure to a location prone to storm-water flow.

175. (Previously presented) A method for forming a sediment control device comprising:

placing a compost-based filling into a first tubular mesh enclosure formed from a mesh material having a nominal opening size of less than 0.5 inches, a ratio of a length of the first tubular mesh enclosure to a width of the first tubular mesh enclosure greater than 40, a second tubular mesh enclosure attached to said first tubular mesh enclosure; and

providing the first tubular mesh enclosure to a location prone to sediment-containing water flow.

176 – 198. (Cancelled).

199. (New) The method of claim 124, wherein the filling is placed via straw blower.